

FILED

MAY 20 2024

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY BM DEP CLK

United States of America

v.

Kevin Day Dunlow

Case No. 5:24-mj-1651-Bm

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 1, 2024 to May 15, 2024 in the county of Wake in the
Eastern District of North Carolina, the defendant(s) violated:

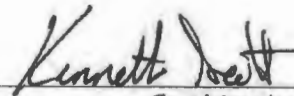
<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 875(c)	Transmitting a Threat in Interstate Commerce
18 U.S.C. § 1038(a)(1)	False information and hoaxes

This criminal complaint is based on these facts:

see attached affidavit

☒ Continued on the attached sheet.

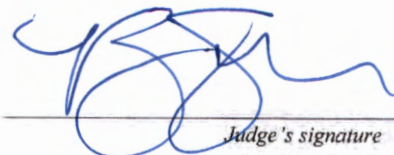
On this day, Kenneth Scott appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this Complaint via telephone.

Date: May 20, 2024; 12:26 pm.City and state: Raleigh, North Carolina

Complainant's signature

Kenneth Scott, Task Force Officer, FBI

Printed name and title



Judge's signature

BRIAN S. MEYERS, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

AFFIDAVIT

I, Kenneth Scott (hereafter referred to as "Your Affiant") being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Your affiant has been a duly sworn law enforcement officer for over twenty-five years. During this time, your affiant has accumulated approximately 3,400 hours of specialized training and have been awarded an Advanced Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission. Over the last two decades of employment, your affiant has had the opportunity to investigate various types of crimes including but not limited to: homicide, narcotic and firearms related offenses, sex offenses, terrorism related offenses, offenses involving child abuse and many others. Additionally, during the normal course of investigative work, your affiant has become highly familiar with firearms, social media platforms, encrypted messaging applications, and the digital exploitation and review of various types of electronic communication equipment including cellular "smartphones" and other personal computer equipment capable of network connectivity.

2. Since September of 2022, your affiant has been assigned to the Federal Bureau of Investigation's (FBI) Joint Terrorism Task Force (JTTF) as a Task Force Officer (TFO). Your affiant received deputation as a Special Deputy United States Marshal in December of 2024 for participation in the FBI's JTTF. As such, your affiant is dually sworn to investigate both federal violations and violations of North Carolina general statutes. Your affiant is primarily assigned to investigate matters involving terrorism and has participated in complex and lengthy investigations

ESD

into various terrorism related offenses. These efforts have resulted in the arrest and subsequent conviction individuals. Finally, your affiant is a federal law enforcement officer who is engaged in enforcing the criminal laws, including those enumerated in Title 18 of United States Code, and is therefore authorized by law to request search warrants and conduct arrests.

3. The facts in this affidavit come from your affiant's personal observations, my training and experience, and from information obtained from other agents, law enforcement officers, and/or witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

4. On or about May 1, 2024, at or around 2:33 pm EST, the Wake County Sheriff's Office Communication Center received a series of calls from 562-343-4940 via the non-emergency line. During the first call, the caller stated two (2) times: "We are going to kill M [REDACTED] R [REDACTED]'s children." He then identified the children by name as K [REDACTED] and D [REDACTED] R [REDACTED]. "We are targeting Jewish Free Mason terrorist". The dispatcher asked the caller where he was located, and he said "330 S. Salisbury Street so you might want to shut the fuck up."

5. The caller then directed the dispatcher to look at "your Facebook page." The call was disconnected by the dispatcher. Your affiant looked at The Wake County Sheriff's Office Facebook page and located a posting with Sheriff Willie Rowe and Sheriff Keith Stone. "Frank Johnson" commented on the picture, spouting the same rhetoric about freemason Jewish terrorist and Sheriff Keith Stone being part of them.

6. On or about May 1, 2024, at or around 2:42 pm EST, the same caller stated: We are targeting synagogues. "I'm a sleeper of forty-five (45) years, you need to pay attention, I'm going to kill your children. I'm gonna kill a lot of them." Dispatcher attempted to get a deputy to call

Edits made
at direction
of [signature]
BSH
05/20/2024

from 562-343-4940

GJD

him back but that seemed to irritate the caller. He then said "pass along the message, there's a bomb in the Sheriff's Office coming, were going kill you. Can you pass that message along."

7. On or about May 7, 2024, at or around 3:58 pm EST an employee from Beth El Synagogue in Durham, NC received a call from 562-343-4940 where an older male stated "I'm going to kill all of your Jewish Children." The employee then discontinued the call. Durham Police Department responded and took a report.

8. On or about May 8, 2024, at or around 4:30 pm EST after Durham PD Detective spoke to the wife of the suspect, the Detective started receiving unhinged texts from the suspect number (562-343-4940) saying over several messages, "Mark Judy. I'm lkkked and loaded on your Freemason terrorist families and children. It's just a matter of timing. I look forward to the opportunity to do you personally, you armed. Lying, criminal Freemason terrorist member-associate." "I'm targeting your families and children. It's just a matter of timing, you piece of shit. You savvy."

9. On or about May 10, 2024, at or around 6:50 hours EST Temple Beth OR Synagogue received a call through their emergency line that the Rabbi answered. The caller, a male with no discernable accent, started aggressively making statements that "Jews didn't deserve to live. Jews didn't deserve to be on this earth. I'm going to kill the Jews. I'm coming to the Temple to kill all the Jews and the children." The caller repeated this statement over until the Rabbi discontinued the call. Raleigh Police Department responded to the Synagogue and took a report.

10. Due to the extreme violent nature of these threats, the aforementioned telephone number was submitted to the phone company under emergency disclosure request. Verizon responded with the subscriber Samantha Dunlow from Huntington Beach, CA. As a matter of routine processing, the subscriber's name and number were cross-checked through

*Edits made
at direction
of Affiant.
BSM 05/20/2024*

GJD

various databases. Those checks indicated that those identifiers are affiliated with multiple other threatening complaints, throughout North Carolina.

11. One such database check indicated that an individual named Kevin Day DUNLOW, W/M, DOB: XX/XX/1962 (hereafter referred to as "KD") currently resides in Huntington Beach, CA. with the same address as Samantha Dunlow. Additionally, further checks indicated that KD was a long-term resident of eastern North Carolina.

12. North Carolina State Capital Police and Durham PD have made contact with the registered subscriber, Samantha Dunlow, for the target number. Mrs. Dunlow stated that she has three numbers on her family plan and the number in question (562-343-4940) is her husbands. According to Durham PD, Samantha stated that she does not police his phone but seemed unsurprised that law enforcement was calling about her husband.

13. A review of KD's criminal history indicates an extensive criminal history which begins in or around 1980 and spans multiple decades, to include: convictions for assault inflicting serious injury and assault and a charge for assault inflicting serious injury. KD has three (3) active warrants in NC for threatening phone calls (2021), communicating threats (2022) and communicating threats (2022).

*Editor made
at direction
of Affiant.
BSH 05/20/2024*

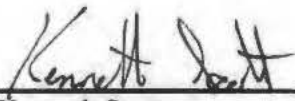
Based upon law enforcement's review of recorded calls from 562-343-4940, each having the same voice, your affiant believes that

¹⁴ KD has continued calling the Wake County Sheriff's Office and other entities throughout North Carolina, making threats to kill Jewish children. KD's threatening behavior are becoming more frequent. On Wednesday May 15, 2024, FBI Charlotte received a call from the Director of Security of Shalom Park in Charlotte. KD called Temple Israel and left a threatening voicemail about killing Jewish people.

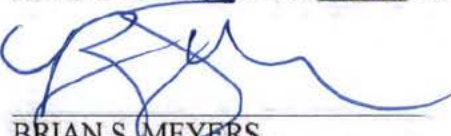
15. Based on the foregoing, your affiant submits that there is probable cause to believe that KD violated 18 U.S.C. § 875(c), which makes it a crime to "...transmit in interstate or foreign

commerce any communication containing any threat to kidnap any person or any threat to injure the person of another." KD committed this violation by transmitting a series of threatening messages to multiple entities located in North Carolina while residing in California at the time the threat was made. Also, your affiant submits that there is probable cause to believe that KD violated 18 U.S.C. § 1038(a)(1), which makes it a crime to "engage[] in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter 113B of this title." That is, KD committed this violation by calling the Wake County Sheriff's Office and reporting "there's a bomb in the Sheriff's Office coming, were going kill you."

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.


Kenneth Scott
Task Force Officer
Federal Bureau of Investigation

Pursuant to Rule 4.1 of the Federal Rule of Criminal Procedure, the affiant appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this written affidavit via telephone, at 12:26 am / pm on May 20, 2024.


BRIAN S. MEYERS
United States Magistrate Judge